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8 **UNITED STATES BANKRUPTCY COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 **In re:**

12 **PG&E CORPORATION,**

13 **- and -**

14 **PACIFIC GAS AND ELECTRIC**
15 **COMPANY,**

16 **Debtors.**

- 17 ☐ Affects PG&E Corporation
18 ☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

19 ** All papers shall be filed in the Lead Case, No.*
20 *19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF A. ANNA CAPELLE IN
SUPPORT OF REORGANIZED DEBTORS'
ONE HUNDRED FIFTEENTH OMNIBUS
OBJECTION TO CLAIMS (NO LIABILITY
RECATEGORIZED CLAIMS)**

Response Deadline:
May 24, 2022, 4:00 p.m. (PT)

Hearing Information If Timely Response Made:

Date: June 7, 2022

Time: 10:00 a.m. (Pacific Time)

Place: (Tele/Videoconference Appearances Only)

United States Bankruptcy Court

Courtroom 17, 16th Floor

San Francisco, CA 94102

1 I, A. Anna Capelle, pursuant to section 1746 of title 28 of the United States Code, hereby declare
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,
3 and belief:

4 1. I am employed as a Managing Counsel, Litigation and Commercial Contracts, in the Law
5 Department of Pacific Gas and Electric Company (the “**Utility**”), a wholly-owned subsidiary of PG&E
6 Corporation (“**PG&E Corp.**”) and together with Utility, the “**Reorganized Debtors**” in the above-
7 captioned chapter 11 cases (the “**Chapter 11 Cases**”). I have been employed in this role since May 1,
8 2020, and prior to such date I was employed as Interim Managing Counsel, Strategy and Policy. I have
9 been employed as an attorney for PG&E since October 2006. In my current role, I am responsible for
10 supervising seven litigation attorneys, and advising leaders on litigation and general dispute issues. I
11 also regularly consult with my colleagues elsewhere in the Utility’s Law Department on legal issues that
12 cover a variety of other subject matter. I submit this Declaration in support of the *Reorganized Debtors’*
13 *One Hundred Fifteenth Omnibus Objection to Claims (No Liability Recategorized Claims)* (the
14 “**Omnibus Objection**”),¹ filed contemporaneously herewith. This Declaration relates exclusively to the
15 claims identified on **Exhibits 1 and 2** to the Omnibus Objection.

16 2. Except as otherwise indicated herein, all facts set forth in this Declaration are based upon
17 my personal knowledge, the knowledge of other personnel of the Reorganized Debtors working under
18 and alongside me on this matter, including my colleagues elsewhere in the Utility’s Law Department,
19 my discussions with PG&E’s professionals and various other advisors and counsel, and my review and
20 my colleagues’ review of relevant documents and information. If called upon to testify, I would testify
21 competently to the facts set forth in this Declaration. I am authorized to submit this declaration on behalf
22 of the Reorganized Debtors.

23 3. In relevant part, the Omnibus Objection is directed at the Proofs of Claim specifically
24 identified in **Exhibits 1 and 2** to the Omnibus Objection. The No Liability Recategorized Claims that
25 are the subject of this Declaration are identified in the column headed “Claims to Be Disallowed and
26 Expunged” therein.

27 ¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in
28 the Omnibus Objection.

1 4. **Exhibits 1 and 2** were prepared by the AlixPartners, LLP (“**AlixPartners**”) team charged
2 with the Bankruptcy Case Management component of AlixPartners’ assignment to assist the
3 Reorganized Debtors, based on information provided by me, and I have reviewed it to confirm its
4 accuracy. I am familiar with them, their contents, and the process under which they were prepared. To
5 the best of my knowledge, information and belief, **Exhibits 1 and 2** accurately identify the No Liability
6 Recategorized Claims.

7 5. **Exhibit 1** specifically identifies in the “Basis for Objection” that the No Liability
8 Recategorized Claims listed therein are classified as “Barred by Statute of Limitations.” Pursuant to
9 sections 338(b) and (c) of the California Code of Civil Procedure, an action for injury to real or personal
10 property must be commenced within three years. Pursuant to sections 335.1 and 377.60 of the California
11 Code of Civil Procedure, actions for personal injury and wrongful death, respectively, must be
12 commenced within two years. No actions were commenced prior to the Petition Date on account of any
13 of the claims listed on **Exhibit 1**. Therefore, the Reorganized Debtors are not liable, and the Barred by
14 Statute of Limitations Claims should be disallowed and expunged.

15 6. **Exhibit 2** specifically identifies in the “Basis for Objection” that the fires cited by the No
16 Liability Recategorized Claims listed therein all occurred outside of the Reorganized Debtors’ service
17 area. The zip code where each claimed incident took place is identified on **Exhibit 2** as the “Incident
18 Zip Code.” **Exhibit 2-A** is a comprehensive list of all zip codes serviced by the Reorganized Debtors,
19 which was prepared by the Utility. The Incident Zip Codes on **Exhibit 2** are not listed on **Exhibit 2-A**.
20 Accordingly, the proofs of claim listed on **Exhibit 2** should be disallowed and expunged because they
21 occurred outside of the Reorganized Debtors’ service area and consequently, the fires could not have
22 been caused by the Reorganized Debtors.

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1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
2 correct to the best of my knowledge, information, and belief. Executed this 18th day of April, 2022.

3 /s/ A. Anna Capelle

4 A. Anna Capelle
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